

REMARKS

1. Status of the Application

At the outset, Applicant wishes to express appreciation to Examiner Dexter for the courtesies extended to Applicant's attorney Maria Comninou during a telephone interview on November 13, 2001.

Claims 1-8, 14-23, 40, 47-55, 61, 65-79 and 82-84 are pending in the application. Of the pending claims, claims 74-78 were withdrawn from consideration and the remaining claims stand rejected. Applicant has cancelled claims 19, 40, 47-55, 61, 65-73 and 82 without prejudice and disclaimer of their subject matters. Applicant reserves the right to prosecute the subject matters of these claims at a later date. Accordingly, Applicant addresses herein only the rejections of claims 1- 8, 14, 15-18, 20-23, 79, 83 and 84.

2. Claim Rejections Under 35 U.S.C. §112

Claims 1- 8, 14, 15-18, 20-23, 79, 83 and 84 stand rejected under 35 U.S.C. §112, second paragraph. These claims have been carefully reviewed and amended for clarity and to correct any inadvertent informalities discovered therein.

In particular, the term "fence" in the claims has been replaced with the term --fence body-, and the specification has been amended accordingly to indicate that "fence body" or "body" is the element identified by reference number 62 and that it is distinct from workpiece guide or fence 60.

The term "work support surface" in the claims has been replaced with the term "infeed platform" which is defined on page 16 the specification as originally filed.

Other minor language modifications have been made in accordance with Examiner's suggestions.

3. Claim Rejections Under 35 U.S.C. §102(b)

Claims 1-5, 14 and 79 are rejected under 35 U.S.C. §102(b) as being anticipated by Delta Model 36-906 ("Delta '906").

Amended independent claim 1 recites a cutting device that includes a workpiece guide with an infeed extension that has an infeed platform that is adjacent the work surface of the cutting device at the infeed edge, wherein the infeed platform provides workpiece support and is coplanar with the work surface. Delta '906 does not include such a platform, as can be best seen in Figure 45 of the Delta '906 manual. Claim 1 also includes an adjustment mechanism on the infeed extension, wherein the adjustment mechanism is structured for selectively adjusting an elevation of the infeed extension relative to the work surface. The screws C and D of the Delta '906 only adjust the perpendicularity of the fence body A relative to the table of the saw. See Fig. 47 and associated description. Therefore, claim 1, and claims 2-5, 14 and 79 that depend from it are not anticipated by Delta '906. Reconsideration and withdrawal of these rejections is respectfully requested.

4. Claim rejections under 35 U.S.C. §102/103

Claims 6-8 are rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative under 35 U.S.C. §103, as obvious over Delta '906. Claims 6-8 depend indirectly from claim 1, which is not anticipated by Delta '906 as discussed above. Therefore, these claims are not obvious over Delta '906, and withdrawal of their rejection is respectfully requested.

5. Claim Rejections Under 35 U.S.C. §103

Remaining pending claims 15-18, 20-23, 83 and 84 stand rejected under 35 U.S.C. §103, as obvious over Delta '906 in view of U. S. Patent No. 4,964,450 to Hughes et al. ("Hughes") and U.S. Patent No. 2,166,703 to Boice ("Boice").

Amended independent claim 15 is directed to a saw that includes a workpiece guide with an infeed extension that has an infeed platform that is adjacent to the work surface of the saw at the infeed edge and protrudes therefrom, wherein the infeed platform provides workpiece support and is coplanar with the work surface. As was discussed above, Delta '906 does not

include that structure. Contrary to what is provided in the Office Action, the boss areas surrounding threaded members C and D are not platforms that provide workpiece support and they are not coplanar with the work surface. In fact, those areas are distinctly below the work surface because they are not coplanar with the bottom surface of the fence body A, as can be clearly seen in Figure 45 of Delta '906. The Office Action also provides that it is "old and well known in the art to provide a surface or surfaces on a workpiece guide that is/are substantially coplanar with the work surface of the saw as to provide additional stability . . ." The record does not support such assertion in the context of a workpiece guide that is supported on a rail system as recited in claim 15. Accordingly, Applicant traverses the assertion of Official Notice as the result of hindsight from the subject application and respectfully submits that no evidence has been provided to establish the existence of prior art references or teachings that suggest or disclose the above elements of claim 15.

Claim 15 also includes an adjustment mechanism on the infeed extension, wherein the adjustment mechanism is structured for selectively adjusting an elevation of the infeed extension relative to the work surface. The screws C and D of the Delta '906 only adjust the perpendicularity of the fence body A relative to the table of the saw. See Fig. 47 and associated description. Neither Hughes nor Boice disclose such infeed platform and adjustment mechanism. Therefore, claim 15, and claims 16-18, 20-23, 83 and 84 that depend directly or indirectly from claim are not obvious over the cited references. Reconsideration and withdrawal of these rejections is respectfully requested.

6. Conclusion

Applicant submits that all of the pending claims are in condition for allowance. Accordingly, reconsideration and passage to allowance of the subject application at an early date are earnestly solicited. If the undersigned can be of assistance in advancing the subject

application to allowance, the Examiner may contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Version With Markings to Show Changes Made for Application Serial No. 09/134,854

In the Specification

The paragraph starting on line 3, p. 15, has been amended as follows:

As noted above, rail system 40 is conveniently adapted for use in attaching accessories to saw 10. One such accessory is workpiece guide 60 which is particularly adapted for use with the above-described embodiment of the rail system 40, and which incorporates novel features particularly adapted for positioning workpieces relative to the cutting member 22. However, although workpiece guide 60 is described herein for use in connection with rail system 40 and table saw 10, it will be appreciated that the workpiece guide 60 of the present invention may also be employed with other conventional rail systems and with cutting devices other than table saw 10. A possible construction of workpiece guide 60 will now be described with reference to Figures 1-8 and 13-19. As can be seen in particular in Figures 13-19, the workpiece guide 60 is adapted to be positioned atop work surface 12 and to span the length thereof in a substantially parallel relation to the plane of cutting member 22. Workpiece guide 60 is further adapted to selectively engage and slidably ride on rail system 40. Workpiece guide or fence 60 generally includes [a saw fence having] a fence body or body 62, an infeed extension 64, and an attachment mechanism 66. The body 62 generally includes an elongate member, formed from a rigid material such as steel, aluminum, or the like, and having an infeed end 63 and an outfeed end 65. The length of body 62 is preferably greater than the width of the table saw 10 (defined herein as the distance between the infeed rail 42 and outfeed rail 50) such that the body 62 will overhang and extend beyond infeed rail 42 and outfeed rail 50.

In the Claims

Claims 19, 40, 47-55, 61, 65-73 and 82 were cancelled.

Claims 1- 8, 14, 15-18, 20-23, 79 and 84 were amended as follows:

1. (Four times amended) A [workpiece guide for guiding workpieces on a] cutting device[, the cutting device having a rail and a work surface, the workpiece guide] comprising:

a work surface having an infeed edge; and

a workpiece guide for guiding workpieces on the cutting device, the workpiece guide comprising:

a fence body having a guide surface; and

an infeed extension integral to said fence body, said infeed extension comprising:

[a] an infeed platform [work support surface] adjacent to said work surface at the infeed edge, wherein said [work support surface] infeed platform [is substantially perpendicular to said guide surface] provides workpiece support and is coplanar with said work surface; and

an adjustment mechanism [comprising a threaded bore in said work support surface and a threaded member disposed therein] on said infeed extension structured for selectively adjusting an elevation of said infeed extension relative to said work surface.

2. (Four times amended)The [workpiece guide] cutting device of claim 1, wherein said fence body has an infeed end and an outfeed end and further comprises a first and second side wall and top and bottom walls, said infeed extension integral to said infeed end of said fence body and comprising said [work support surface] infeed platform adjacent to said first side wall and [a second work support surface] another infeed platform adjacent to said second side wall.

3. (Four times amended) The [workpiece guide] cutting device of claim 2, wherein said infeed extension further comprises at least one support element to slidably support said infeed extension on [the] a rail attached to the cutting device.

4. (Twice amended) The [workpiece guide] cutting device of claim 3, wherein each said at least one support element comprises an elongated bracket member attached to an underside of said infeed extension.

5. (Amended) The [workpiece guide] cutting device of claim 2, wherein said adjustment mechanism is integral to each said infeed platform.

6. (Thrice amended) The [workpiece guide] cutting device of claim 5, wherein said [infeed extension comprises a second adjustment mechanism and a second infeed work support surface and wherein said second] adjustment mechanism comprises a threaded bore in each of said [second] infeed platforms [work support surface] having a [second] threaded member disposed therethrough, each said [second] threaded member having a base portion and a head portion.

7. (Thrice amended) The [workpiece guide] cutting device of claim 6, wherein said base portion of each said threaded member extends through a respective of said infeed platforms [second work support surface].

8. (Amended) The [workpiece guide] cutting device of claim 6, wherein each said head portion of each said threaded member is recessed within the surface of a respective of said infeed [platform] platforms.

14. (Amended) The [workpiece guide] cutting device of claim 1 wherein the cutting device is a table saw.

15. (Thrice amended) A saw comprising:
a work surface having an infeed edge and an outfeed edge;
a rail system comprising an infeed rail disposed along said infeed edge and an outfeed rail disposed along said outfeed edge; and
a workpiece guide slidably disposed on said rail system, said workpiece guide comprising a fence body and an infeed extension, said fence body having an infeed end and an outfeed end, said infeed extension comprising at least one infeed [work support surface] platform adjacent to said work surface at said infeed edge, wherein said infeed [work support surface] platform provides workpiece support and is [substantially] coplanar with said work surface, and an adjustment mechanism on said infeed extension structured for selectively adjusting an elevation of said infeed extension relative to said work surface.

16. (Thrice amended) The saw of claim 15, wherein said fence body further comprises a side wall oriented perpendicular to the work surface, said infeed extension integral to said infeed end of said fence body, and said infeed [work support surface] platform adjacent to said side wall.

17. (Twice amended) The saw of claim 16, wherein said infeed extension is slidably supported by said infeed rail, and said infeed [work support surface] platform overhangs said infeed rail.

18. (Thrice amended) The saw of claim 17, wherein said infeed extension further comprises at least one elongated bracket member having a shape complementary to at least a portion of said infeed rail [support element] to support said infeed extension on said infeed rail.

20. (Thrice amended) The saw of claim [19] 18, wherein said infeed extension comprises a second adjustment mechanism, said second adjustment mechanism being integral to a second infeed [work support surface] platform.

21. (Thrice amended) The saw of claim 20, wherein [at least one] each said adjustment mechanism of each [of] said infeed [work support surfaces] platform comprises a threaded bore in each respective [said] infeed platform [work support surface] having a threaded member disposed therethrough, each said threaded member having a base portion and a head portion.

22. (Thrice amended) The saw of claim 21, wherein said base portion of each said threaded member engages said infeed rail.

23. (Twice amended) The saw of claim 21, wherein said head portion of each said threaded member is recessed within the surface of [said] each respective infeed platform [work support surface].

79. (Twice amended) The [workpiece guide] cutting device of claim 6, wherein said adjustment mechanism selectively adjusts a distance between said base of said threaded member and said work [support] surface.

84. (Twice amended) The saw of claim [15] 16, wherein said adjustment mechanism selectively adjusts an angle of said side [walls] wall relative to said work surface.